

1 Honorable Robert S. Lasnik
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

PRIORITY RECORDS LLC, a California limited liability company; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; MOTOWN RECORD COMPANY, L.P., a California limited partnership; and ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation,

Plaintiffs,

v.

CYNTHIA R. MENYWEATHER,

Defendant.

**No. 2:05-cv-01144-JCC-RSL
Yarmuth File Sharing Litigation**

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

Having considered Plaintiffs' Application for Default Judgment by the Court, and good cause appearing therefore, it is ORDERED:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the five sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs'

1 copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total
2 principal sum of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00).

3 2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of
4 Three Hundred Thirty Dollars (\$330.00).

5 3. Defendant shall be and hereby is enjoined from directly or indirectly
6 infringing Plaintiffs' rights under federal or state law in the following copyrighted sound
7 recordings:

8 • "You Can Do It," on album "War & Peace: Vol. 2," by artist "Ice
9 Cube" (SR# 287-151);

10 • "Human Nature," on album "Thriller," by artist "Michael Jackson"
11 (SR# 41-965);

12 • "Fire and Desire," on album "Street Songs," by artist "Rick James"
13 (SR# 25-800);

14 • "Keep On," on album "Bad As I Wanna B," by artist "MC Lyte"
15 (SR# 225-726);

16 • "Always Be My Baby," on album "Daydream," by artist "Mariah
17 Carey" (SR# 215-243);

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19 and in any other sound recording, whether now in existence or later created, that is owned
20 or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of
21 Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or
22 any online media distribution system to reproduce (i.e., download) any of Plaintiffs'
23 Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of
24 Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful
25 license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of
26 Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or

1 server without Plaintiffs' authorization and shall destroy all copies of those downloaded
2 recordings transferred onto any physical medium or device in Defendant's possession,
3 custody, or control.

4 DATED: October 24, 2005
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By: Robert S. Lasnik

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8 Robert S. Lasnik
9 United States District Judge
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Presented by:
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17 ENTERTAINMENT GROUP INC.
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